

PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **180.00****Complete if Known**

Application Number	09/781,695
Filing Date	February 12, 2001
First Named Inventor	Terrence L. Graham
Examiner Name	Alton Nathaniel Pryor
Art Unit	1616
Attorney Docket No.	22727/04056

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>		
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

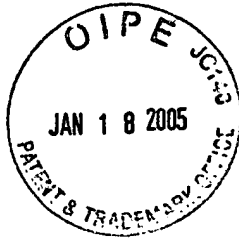
Non-English Specification, \$130 fee (no small entity discount)

Other: **Supplemental Information Disclosure Statement****Fees Paid (\$)****\$180.00****SUBMITTED BY**

Signature	<i>Sean Myers Payne</i>	Registration No. (Attorney/Agent)	42,920	Telephone	(614) 621-7754
Name (Print/Type)	Sean C. Myers-Payne	Date	January 14, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Customer No. 24024  
Attorney Docket No. 22727/04056

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Graham *et al.* ) Group Art Unit: 1616  
 )  
Application No.: 09/781,695 ) Examiner: Alton Nathaniel Pryor  
 )  
Filed: February 12, 2001 ) Attorney Docket No.: 22727/04056  
 )  
For: Methods of Inducing Production of )  
Isoflavone Levels in Plants Using )  
Nuclear Receptor Ligands )

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 CFR §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08B. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, Quayle Action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Applicant received a PCT Search Report mailed April 15, 2004 in a related European application (01908847.5). A copy of this report is enclosed for the Office's convenience.

*Application/Patent No. 09/781,695*  
*Attorney Docket No. 22727/04056*  
*Supplemental Information Disclosure Statement*

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

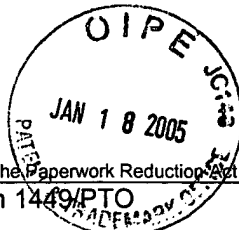
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of the Statement, please charge the fee to our deposit account number 03-0172.

Respectfully submitted,

Date: January 14, 2005

  
\_\_\_\_\_  
Sean C. Myers-Payne  
Reg. No. 42,920  
Phone: (614) 621-7754  
Fax: (614) 621-0010  
E-mail: [smyers-payne@calfee.com](mailto:smyers-payne@calfee.com)



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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if known</b>	
				Application Number	09/781,695
				Filing Date	February 12, 2001
				First Named Inventor	Terrence L. Graham
				Art Unit	1616
				Examiner's Name	Alton Nathaniel Pryor
Sheet	1	of	2	Attorney Docket Number	22727/04056

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Bean, <i>et al.</i> , "A summary of laboratory and field trial assays and field trial disease control results after lactofen application to soybean and a few other plant species", <i>Phytopathology</i> (2000) Volume 90, Number 6 Supplement, Page S6, ABSTRACT ONLY from DATABASES BIOSIS, Accession Number PREV2000000310341.	
		Cosio <i>et al.</i> , "Acifluorfen-induced isoflavonoids and enzymes of their biosynthesis in mature soybean glycine-max cultivar harosoy-63 leaves whole leaf and mesophyll responses", <i>Plant Physiology</i> (1985) Volume 78, Number 1, Pages 14-19, ABSTRACT ONLY from DATABASES BIOSIS, Accession Number PREV198580053417.	
		Dann <i>et al.</i> , "Suppression of Sclerotinia stem rot of soybean by lactofen herbicide treatment", <i>Phytopathology</i> (1999) Volume 89, Number 7, Pages 598-602, ABSTRACT ONLY from DATABASE BIOSIS, Accession Number PREV199900336021.	
		Komives <i>et al.</i> , "Acifluorfen increases the leaf content of phytoalexins and stress metabolites in several crops", <i>Journal of Agricultural and Food Chemistry</i> (1983) Volume 31, Number 4, Page 4, ABSTRACT ONLY from DATABASES CAB, Accession Number 83:14432 CABA.	
		Levene, <i>et al.</i> , "Response of soybean cyst nematodes and soybeans (Glycine max) to herbicides", <i>Weed Science</i> (1998) Volume 46, Number 2, Pages 264-270, ABSTRACT ONLY from DATABASE BIOSIS, Accession Number PREV199800276856	
		Lydon <i>et al.</i> , "Pesticide effects on secondary metabolism of higher plants", <i>Pesticide Science</i> (1989) Volume 25, Number 4, Pages 361-374, ABSTRACT ONLY from DATABASES BIOSIS, Accession Number PREV198987121578.	
		Sanogo <i>et al.</i> , "Effects of herbicides on Fusarium solani f. sp. Glycines and development of sudden death syndrome in glyphosate-tolerant soybean", <i>Phytopathology</i> (2000) Volume 90, Number 1, Pages 57-66, ABSTRACT ONLY from DATABASES BIOSIS, Accession Number PREV200000097331.	
		Strobel and Kuc, "Chemical and biological inducers of systemic resistance to pathogens protect cucumber and tobacco plants from damage caused by paraquat and cupric chloride", <i>Phytopathology</i> (1995) Volume 85, Number 10, Pages 1306-1310, ABSTRACT ONLY from DATABASE BIOSIS, Accession Number PREV199598553938, and DATABASE CAB, Accession Number 96:21722 CABA.	
		Tomlin, C., "Diphenyl Ether", Page 1338 of <i>The Pesticide Manual, Tenth Edition</i> , The British Protection Council, Farnham, GB, 1995.	

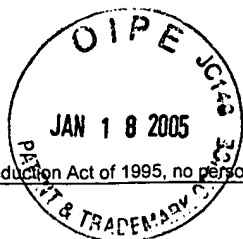
Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if known</b>	
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				Filing Date	February 12, 2001
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				Art Unit	1616
				Examiner's Name	Alton Nathaniel Pryor
Sheet	2	of	2	Attorney Docket Number	22727/04056

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume- issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Zhao <i>et al.</i> , "Induction of arabidopsis tryptophan pathway enzymes and camalexin by amino acid starvation, oxidative stress, and an abiotic elicitor", <i>Plant Cell</i> (1998) Volume 10, Number 3, Pages 359-370, ABSTRACT ONLY from DATABASES BIOSIS, Accession Number PREV199800186152.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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